

**REMARKS**

The Examiner is thanked for the due consideration given the application. The specification has been amended to insert headings.

Claims 20-30 and 33-35 are pending in the application. Claim 1 has been amended in a non-narrowing fashion to remove periods from the body of the claim. Claim 35 is new and generally recites subject matter from claim 1 without reciting that the fingers have a uniform radial thickness.

No new matter is believed to be added to the application by this amendment.

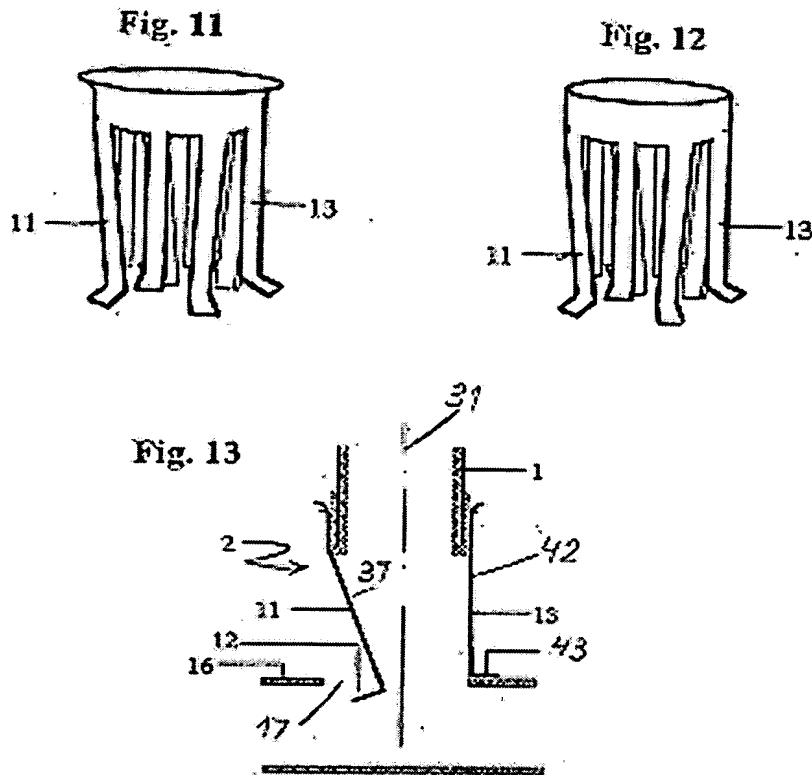
**Rejection Under 35 USC §112, First Paragraph**

Claims 20-30, 33 and 34 have been rejected under 35 USC §112, first paragraph as failing to comply with the written description requirement. This rejection is respectfully traversed.

At paragraph 6 the Official Action asserts "Applicant claims that the fingers are of uniform radial thickness. However, the radial direction the thickness of the fingers at the gripping portion (12) will be longer since this element is slanted. In the fully extended configuration, the radial thickness of the portion (12) will be the longer dimension of 12."

However, the drawing figures of the application clearly show a uniform thickness of the main portion 11 and the gripping

portion 12, as is shown by way of example in Figures 11-13, which are reproduced below.



Also, the term "radial thickness" refers to the cross-sectional dimension of the finger, including both its main portion 11 and its gripping portion 12, perpendicular to the surface of the finger. Thus its radial thickness will not be a function of the position of the position of the finger, contrary to the impression given by the Official Action.

According to the Official Action, the recitation that the fingers are uniformly thick is not supported by the specifications or drawing figures, and hence represents new matter.

However, the Official Action itself concedes that the fingers do have uniform thickness in the figures included in the patent application. Indeed, care was taken to ensure that in every drawing figure in which the fingers were represented in cross-section (Figures 6, 10, 13, 17-19, 26-29, and 32-35), their thickness was uniform. Consistency in illustration will be interpreted by any practitioner skilled in the art as an unambiguous definition of a geometric characteristic, and making a statement on the thickness of the fingers in the specifications redundant.

As a result, the claims are in full compliance with the written description requirement, and no new matter has been added to the application.

This rejection is believed to be overcome, and withdrawal thereof is respectfully requested.

**Rejection Over BLOOMER**

Claims 20, 30, 33 and 34 have been rejected under 35 USC §102(b) as being anticipated by BLOOMER (U.S. Patent 2,537,183). This rejection is respectfully traversed.

The present invention pertains to a connecting device having a first element 1 and a second element 2 that is shown, by way of example, in Figures 7 and 8 of the application, reproduced below.

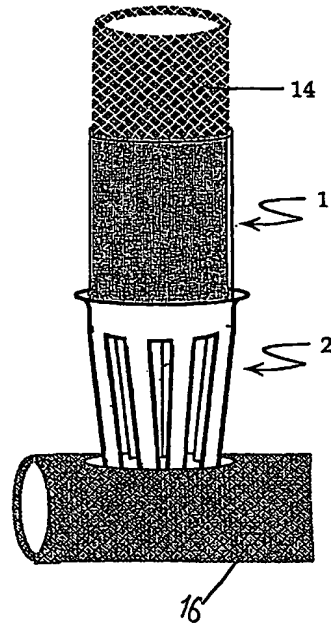


Fig. 7

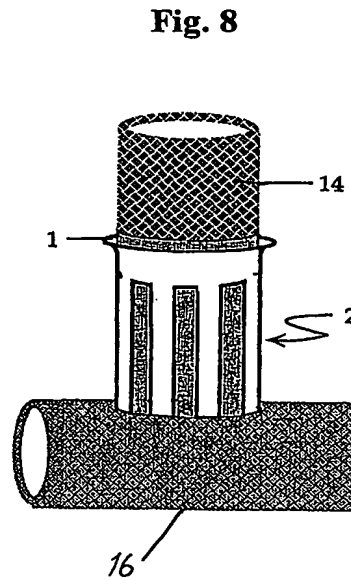
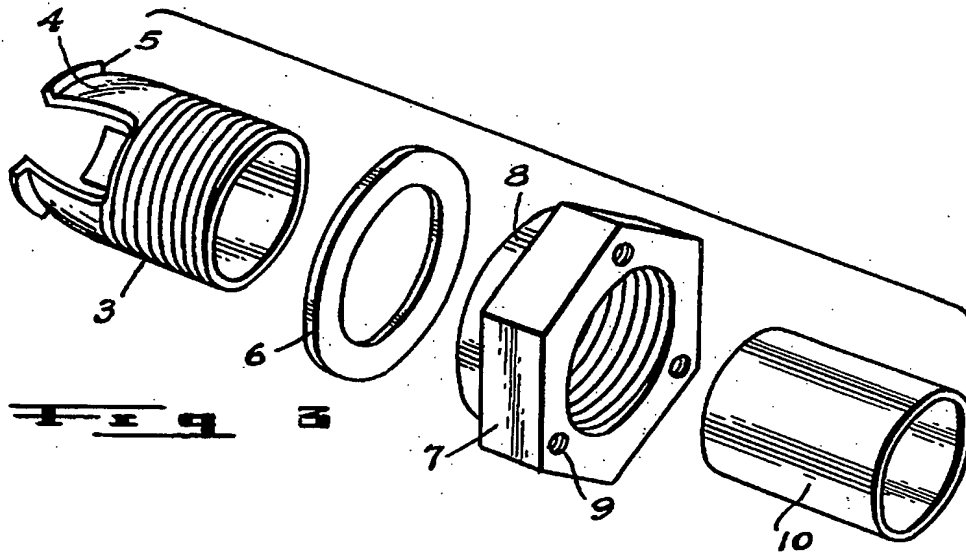


Fig. 8

The second element is provided with at least two elongated first fingers which are arranged at intervals along the circumference of the first passage, and the fingers are of uniform radial thickness. Each of the fingers is formed from a main portion extending from a second front portion and in the direction of a second longitudinal axis, and the main portion is continuous with a gripping part, wherein the gripping part is directed away from the second longitudinal axis in an undeformed condition of said second element, such that introduction of the first element into the second element displaces the main portions of the fingers radially outwards. See claim 20.

BLOOMER pertains to a coupling connection including a threaded tubing having one end formed with an inwardly curving

reduced internal diameter. See claim 1 and figure 3 of BLOOMER, reproduced below.



In contrast, the present invention has a second element that does not incorporate threads. That is, the device of claim 1 of the present invention is composed of only two elements.

Omission of an element and retention of its function is an indicia of patentability. *In re Edge*, 359 F.2d 896, 149 USPQ 556 (CCPA 1966) (Claims at issue were directed to a printed sheet having a thin layer of erasable metal bonded directly to the sheet wherein said thin layer obscured the original print until removal by erasure. The prior art disclosed a similar printed sheet which further comprised an intermediate transparent and erasure-proof protecting layer which prevented erasure of the printing when the top layer was erased. The claims were found patentable over the prior art because although the transparent

layer of the prior art was eliminated, the function of the transparent layer was retained since appellant's metal layer could be erased without erasing the printed indicia.).

BLOOMER thus fails to anticipate claim 20 of the present invention. Claims depending upon claim 20 are patentable for at least the above reasons.

This rejection is believed to be overcome, and withdrawal thereof is respectfully requested.

### **Conclusion**

Prior art of record but not utilized is believed to be non-pertinent to the instant claims.

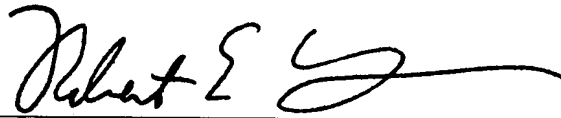
It is believed that the rejections have been overcome, obviated or rendered moot, and that no issues remain. The Examiner is accordingly respectfully requested to place the application in condition for allowance and to issue a Notice of Allowability.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any

overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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A handwritten signature in dark ink, appearing to read "Robert E. Goozner", written over a horizontal line.

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